

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JAMES SCHERER, in his capacity as
Shareholders Representative,

Plaintiff,

VS.

THERMO FISHER SCIENTIFIC INC.,

Defendant.

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C.A. No. 1:13-cv-01185-GMS

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), plaintiff James Scherer and defendant Thermo Fisher Scientific Inc. hereby stipulate that this action be dismissed with prejudice, waiving all rights of appeal, and with each party bearing its own costs and fees.

ASHBY & GEDDES, P.A

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Dated: October 27, 2014

Attorneys for Defendant Thermo Fisher Scientific Inc.

IT IS SO ORDERED this ____ day of October 2014.

The Honorable Gregory M. Sleet